

RECEIVED
CENTRAL FAX CENTER

SEP 13 2006

REMARKS

Claims 1-50 currently remain in the application. Claims 10, 11, 19, 35 and 36 have been amended; no new matter has been added. Applicants respectfully request reconsideration of the rejections cited in the Office Action dated June 14, 2006 in view of the preceding amendments and following remarks.

Applicants thank the Examiner for the courtesy extended during the telephonic interview with Applicants' representative on September 8, 2006. The § 112 rejections were discussed during this interview. The Examiner also suggested language for claim 19 to overcome the 35 U.S.C. § 101 rejection.

Rejection under 35 U.S.C. § 112

Claims 1-50 were rejected under 35 U.S.C. § 112, first paragraph. Specifically, the Examiner questioned how a restarting or recovering node would know what packets a neighboring node has in its link state database. To answer this question, Applicants respectfully point to page 16, lines 8-21 of the Specification for how a restarting or recovering node knows what packets a neighboring node does not have in its link state database. One suitable embodiment is where a dummy link state packet references an unused network node identifier (lines 14-15). Another suitable embodiment includes a dummy link state packet that references an unused identifier associated with the restarting or recovering node (lines 15-17). The restarting or recovering node may store such information in persistent memory. Maintaining a permanent memory, such as a magnetic disk that may be accessed upon start up of a node, is also described on page 14, lines 16-21 of the Specification.

Thus, Applicants have enabled the invention suitable for one of skill in the art to practice the invention. Withdrawal of the rejection under 35 U.S.C. § 112, first paragraph, is respectfully requested.

The Examiner also paraphrased several embodiments of the invention in paragraph 6; while the Examiner has correctly characterized specific embodiments of the invention described on pages 15-16, the Applicants observe that the broad claims do not include all these limitations and request that the claims be interpreted broadly as they read.

Claims 10-11 and 35-36 were rejected under 35 U.S.C. § 112, second paragraph. Claims 10-11 and 35-36 have been amended to correct any indefiniteness. Claim 10 for example now recites "wherein the dummy link state information references a dummy link state packet that references a non-existent network node". Support for this amendment can be found throughout the Specification, and in particular on page 22 lines 5-14, page 16 lines 8-21 and in reference to Figures 3, 4, 6 and 7 (step 709).

Withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, is therefore respectfully requested.

Rejection under 35 U.S.C. § 101

Claim 19 has been amended in accordance with the Examiner's request to recite statutory subject matter. Withdrawal of the rejection under 35 U.S.C. § 101 for claims 19-25 is respectfully requested.

Rejection under 35 U.S.C. § 102

Claims 1-9, 12-34 and 37-50 were rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,820,134 to Zinin et al. (referred to herein as 'Zinin')

Zinin modifies asynchronous flooding algorithms.

The present invention provides methods and apparatus for resynchronizing link state information in a network node, e.g., a node that fails and needs restarting. Independent claim 1 recites a three step process to resynchronize link state information: "transmitting a first message from the network node to a first neighboring node", "receiving a second message from the first neighboring node" and "receiving one or more link state packets from the first neighboring node".

Zinin is silent on this three-step process and does not anticipate the claims. For Zinin, the acknowledgement message is a stop message (see col 8 lines 14-25) that prevents further communication. The second element of claim 1 includes an acknowledgement. According to the teachings of Zinin then, there is no third message after the acknowledgement (element three in the claims). Therefore, Zinin fails to teach all the limitations in the claims.

The first message, second message and link state packets are also characterized by dummy link state information, acknowledgement of the first message, and link state information, respectively. Zinin is also silent on these features for the first message, second message and link state packets, respectively. For at least these reasons, claim 1 is allowable over the art of record.

Independent claim 12 includes a method for a network node to request link state information from neighboring nodes, and includes: "maintaining information identifying one or more neighboring nodes in persistent storage of the network node; restarting the routing control protocol of the network node, wherein restarting the routing control protocol clears a link state database; transmitting heartbeat messages from the network node to one or more neighboring nodes"; "transmitting a first link state information request message from the network node to a first neighboring node" and "transmitting a second link state information request message from the network node to a second neighboring node." Zinin does not teach or suggest this set of limitations.

Independent claims 19, 26, 37 and 44 include limitations that are similar to limitations in claims 1 and 12. Correspondingly, Zinin fails to disclose all limitations in the independent claims. Therefore, Applicants respectfully submit that the art of record does not anticipate or suggest independent claims 1, 12, 19, 26, 37 and 44.

For at least these reasons, the independent claims are allowable over Zinin.

Claims 2-9, 13-18, 20-25, 27-34, 38-43 and 45-50 each depend either directly or indirectly from independent claims 1, 12, 20, 21, 24, 27 and 44 and are patentable over the art of record for at least the reasons set forth above with respect to the independent claims. Further, the dependent claims recite additional elements which when taken in the context of the claimed invention further patentably distinguish the art of record.

Withdrawal of the rejections of under 35 U.S.C. § 102 is therefore respectfully requested.

Applicants gratefully acknowledge indication of allowability of claims 10-11 and 35-36 if rewritten in independent form, but believe all claims allowable for the reasons indicated above.

Applicants believe that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



William J. Plut
Limited Recognition No. L0079

P.O. Box 70250
Oakland, CA 94612-0250
Telephone: (650) 961-8300